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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Austria, Belgium, Benin, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Jordan, Lithuania, Luxembourg, Morocco, Netherlands, Norway, Poland, Portugal, Romania, Slovenia, Spain, Sweden and United Kingdom of Great Britain and Northern Ireland: draft resolution

The role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights

The General Assembly,

Reaffirming its commitment to the principles and purposes of the Charter of the United Nations and the Universal Declaration of Human Rights,[1]

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2] in which the Conference reaffirmed the important and constructive role played by national human rights institutions,

Reaffirming its resolution 65/207 of 21 December 2010 on the role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights,

Recalling the principles relating to the status of national institutions for the promotion and protection of human rights welcomed by the General Assembly in its resolution 48/134 of 20 December 1993 and annexed thereto,

Reaffirming its previous resolutions on national institutions for the promotion and protection of human rights, in particular resolution 66/169 of 19 December 2011,

[1] Resolution 217 A (III).
[2] A/CONF.157/24 (Part I), chap. III.

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Welcoming the rapidly growing interest throughout the world in the creation and strengthening of the Ombudsman, mediator and other national human rights institutions, and recognizing the important role that these institutions can play, in accordance with their mandate, in support of domestic complaint resolution,

Recognizing the role of the existing Ombudsman, whether a male or female, mediator and other national human rights institutions in the promotion and protection of human rights and fundamental freedoms,

Underlining the importance of the autonomy and independence of the Ombudsman, mediator and other national human rights institutions, where they exist, in order to enable them to consider all issues related to their fields of competence,

Considering the role of the Ombudsman, mediator and other national human rights institutions in promoting good governance in public administrations, as well as improving their relations with citizens, and in strengthening the delivery of public services,

Considering also the important role of the existing Ombudsman, mediator and other national human rights institutions in contributing to the effective realization of the rule of law and respect for the principles of justice and equality,

Stressing that these institutions, where they exist, can play an important role in advising the Government with respect to bringing national legislation and national practices into line with their international human rights obligations,

Stressing also the importance of international cooperation in the field of human rights, and recalling the role played by regional and international associations of the Ombudsman, mediator and other national human rights institutions in promoting cooperation and sharing best practices,

Noting with satisfaction the active work of the Association of Mediterranean Ombudsmen and the active continuing work of the Ibero American Federation of Ombudsmen, the Association of Ombudsmen and Mediators of la Francophonie, the Asian Ombudsman Association, the African Ombudsman and Mediators Association, the Arab Ombudsman Network, the European Mediation Network Initiative, the International Ombudsman Institute and other active ombudsman and mediator associations and networks,

1. *Takes note with appreciation* of the report of the Secretary General;[3]

2. *Encourages* Member States:

(a) To consider the creation or the strengthening of independent and autonomous ombudsman, mediator and other national human rights institutions at the national and, where applicable, the local level;

(b) To endow ombudsman, mediator and other national human rights institutions, where they exist, with an adequate legislative framework and financial means in order to ensure the efficient and independent exercise of their mandate and to strengthen the legitimacy and credibility of their actions as mechanisms for the promotion and protection of human rights;

[3] A/67/288.

(c) To develop and conduct, as appropriate, outreach activities at the national level, in collaboration with all relevant stakeholders, in order to raise awareness of the important role of the Ombudsman, mediator and other national human rights institutions;

3. *Recognizes* that, in accordance with the Vienna Declaration and Programme of Action,[2] it is the right of each State to choose the framework for national institutions, including the Ombudsman, mediator and other national human rights institutions, which is best suited to its particular needs at the national level, in order to promote human rights in accordance with international human rights instruments;

4. *Welcomes* the active participation of the Office of the United Nations High Commissioner for Human Rights in all international and regional meetings of the Ombudsman, mediator and other national human rights institutions;

5. *Encourages* the Office of the United Nations High Commissioner for Human Rights, through its advisory services, to develop and support activities dedicated to the existing Ombudsman, mediator and other national human rights institutions and to strengthen their role within national systems for human rights protection;

6. *Encourages* the Ombudsman, mediator and other national human rights institutions, where they exist:

(a) To operate, as appropriate, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights ("the Paris Principles")[4] and other relevant international instruments, in order to strengthen their independence and autonomy and to enhance their capacity to assist Member States in the promotion and protection of human rights;

(b) To request, in cooperation with the Office of the United Nations High Commissioner for Human Rights, their accreditation by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, in order to enable them to interact effectively with the relevant human rights bodies of the United Nations system;

7. *Requests* the Secretary-General to report to the General Assembly at its sixty-ninth session on the implementation of the present resolution.

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[4] Resolution 48/134, annex.